APPROVED FOR RELEASE 2025 UNDER EXECUTIVE ORDER 14176

24 May 1973

SUBJECT: Bernard Fensterwald, Jr.

1. Bernard Fensterwald, Jr. was born on 2 August 1921 in Nashville, Tennessee. He graduated magna cum laude from Harvard College in 1942 and received his law degree in 1949 from Harvard Law School. During World War II he served in the US Navy. He then attended the School of Advanced International Studies in Washington, D. C. during 1949 and 1950 and attended Cambridge University in Cambridge, England during 1954 and 1955. From 1950 to 1956 he was the assistant to the legal advisor, US Department of State.

2. During 1956 he served as a foreign policy advisor to Senator Estes Kefauver in the late Democratic senator's vice-presidential bid. The next two years he served as administrative assistant to Missouri Senator Thomas C. Hennings, Jr. In 1959 and 1960 Fensterwald served as chief counsel on the Senate Subcommittee on Constitutional Amendments. In 1961 he rejoined Senator Kefauver as staff director of the Senate Antitrust and Monopoly Subcommittee. He then went to the Senate Subcommittee on Administrative Practices and Procedures of the Judiciary Committee as its chief counsel. Here he became involved in investigating wiretapping and other electronic surveillances by US government agencies.

3. In 1969 he, together with several other people, founded the Committee to Investigate Assassinations, acronym, CIA. The founders of this committee included such individuals as Jim Garrison, controversial New Orleans district attorney (1969), Mark Lane, author of a book on the assassination of President Kennedy in which he criticised the findings of the Warren Commission, and Mort Sahl,

DOCUMENTS APPROVED FOR RELEASE SEP 1994

(2)

then a widely known comedian. This committee believed that there was a link between the assassinations of the two Kennedys and the assassination of Martin Luther King. They also believed these assassinations were the result of conspiracies and that the US government and the Warren Commission engaged in a cover up when they investigated these killings.

4. In an interview with WWDC during January 1969, Fensterwald claimed that a book called Fairwell America was published by the CIA. This book which is believed to have been written either by the head of a French book company or by a group of left wing Massachusetts intellectuals was published abroad, under pseudonym, apparently to avoid libel actions. The book claims that a number of prominent US citizens were implicated of having guilty knowledge of the plot to kill the late President Kennedy. It criticizes all elements of American society with the exception of President Kennedy and Senator Robert Kennedy. It claims that President Kennedy was condemned by a band of Texas and Louisiana notables and was assassinated by a band of professional killers aided by the Dallas police.

5. On 8 April 1971 Fensterwald visited the CIA General Counsel to look at some pictures that the Agency possessed and which appeared in the Warren Commission report. Also during 1971 Fensterwald represented James Earl Ray, convicted killer of Martin Luther King.

6. The May 1972 issue of the Quicksilver Times carried an item in its classified advertisement section soliciting information concerning CIA. The advertisement was submitted by Law Students Projects, Committee to Investigate Assassinations.

7. Fensterwald, during a telephone interview with the Washington Post, stated he first met McCord on March 7, 1973 when McCord was freed on $100,000 bail. Fensterwald stated he had nothing to do with McCord sending a letter to Judge Sirica offering to cooperate in the Watergate investigation. He said McCord decided to accept him as co-counsel "because he knew I had experience with congressional committees and that I knew Sam Dash and could arrange for him to testify."

NAME: Bernard Fensterwald, Jr.

DPOB: 2 August 1921, Nashville, Tennessee

EDUC: Harvard College (graduated 1942)
Harvard Law School (LLB 1949)
School of Advanced International Studies
(1947 and 1948)

MILITARY: Ensign to Lieutenant, USN (1942-1946)

EMPLOY-
MENT:

1950-1956, Special Assistant to the legal advisor, Department of State

1956 Foreign Policy Advisor, Senator Estes Kefauver

1957-1958, Adm. Assistant to Senator Thomas C. Hennings, Jr.

1959-1960, Chief Counsel, Senate Subcommittee on Constitutional Admendments

1961 Staff Director, Senate Antitrust and Monopoly Subcommittee

1963-1969, Chief Counsel, Senate Subcommittee on Administrative Practices and Procedures

1969 Director, Committee to Investigate Assassinations